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November 17, 2000

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NOV 17 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYMagalie Roman Salas, Secretary
Federal Communications Commission
The Portals II
445 12th St., S.W., Room TW-A325
Washington, DC 20554

Re: Petition for Rule Making filed by
Fox Television Stations, Inc.
Amendment of Section 73.622(b)
Digital Television Table of Allotments
Hartford, Connecticut

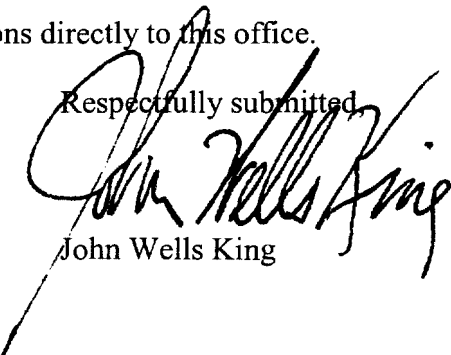
Subject: Opposition of Meredith Corporation to
Petition for Rule Making

Dear Ms. Salas:

On behalf of Meredith Corporation, licensee of Television Broadcast Station WFSB(TV), Hartford, Connecticut, I transmit herewith the original and four copies of its Opposition of Meredith Corporation to Petition for Rule Making in the above-referenced proceeding.

Kindly communicate any questions directly to this office.

Respectfully submitted,


John Wells King

JWK:ab

Enclosure

cc: John A. Karousos
H. John MorganNo. of Copies rec'd 014
List A B C D E
MMB

Before The
Federal Communications Commission
Washington, D.C. 20554

In The Matter Of)
)
Amendment of Section 73.622(b)) RM-
Digital Television Table of Allotments)
(Hartford, Connecticut))
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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

TO: Chief, Video Services Division
Mass Media Bureau

**Opposition Of Meredith Corporation
To Petition For Rule Making**

On October 20, 2000, Fox Television Stations, Inc. ("Fox"), filed a petition for rule making ("Petition") in which it proposes that the Commission amend the DTV Table of Allotments to substitute DTV Channel 31 for DTV Channel 5 at Hartford, Connecticut, for operation of the digital television facilities authorized to Television Station WTIC-TV. Tribune Television Corporation ("Tribune") is the licensee of WTIC-TV and permittee of WTIC-DT. Meredith Corporation ("Meredith"), by its attorneys, hereby opposes the Petition. For the following reasons, Meredith requests that the Petition be dismissed.

Introduction

Meredith is the licensee of Television Station WFSB(TV) at Hartford. WFSB is authorized to construct new DTV facilities on DTV Channel 33 at its current NTSC transmitter site on Avon Mountain.

The Fox Petition presents the Commission with a proposal that would result in the siting of four consecutive channels in close proximity in the Hartford market, Channels 30, 31, 32, and 33. The Petition provides an insufficient technical basis for such an alignment. It is incomplete in its details for the proposed operations of WTIC-DT on Channel 31 and WEDH-DT on Channel 33. It lacks justification for the necessary waiver of the rules. It fails to establish that, under the circumstances, the public interest would be served by a grant of the Petition and the requested channel substitution.

The Hartford Market: Already A DTV Muddle

The congested Northeastern Corridor of the U.S. has presented the Commission and television licensees with considerable challenges in channel allotments for DTV implementation and conversion. WFSB's proposed DTV service suffers from the imperfect solutions to such challenges. The Commission originally assigned DTV Channel 11 to WFSB.¹ Due to the risks of loss of analog service arising from DTV allotments in the original DTV allocation table, WFSB participated with three other television licensees to petition the Commission for a regional solution to DTV allotments in the Hartford-New Haven and adjacent New York City television markets.²

Although the Commission recognized that "this area is particularly congested and that a number of the DTV allotments are not ideal," it declined to pursue a regional

¹ See Appendix B, Table 1, *Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MM Docket No. 87-268, *Sixth Report And Order*, adopted April 3, 1997, released April 21, 1997.

² The other stations were WTNH-TV and WBNE-TV in New Haven, and WPIX-TV in New York.

solution to the problem.³ Instead, it determined to make only one change -- the DTV allotment of WFSB was moved from channel 11 to channel 33 “to address potential DTV-to-DTV adjacent channel interference.”⁴ At that, the Commission’s substitution of DTV Channel 33 for WFSB’s use assumed the co-location at WFSB’s Avon Mountain site of DTV Channel 32 by Connecticut Public Broadcasting, Inc. (“CPB”), for the DTV facilities of its Station WEDH-TV.⁵

A critical key in the plan advanced by Fox is to re-locate WEDH-TV from Avon Mountain to Rattlesnake Mountain, more than 8 km from the WFSB transmitter site. This, Fox asserts, is necessary in order to reduce or eliminate adjacent-channel interference between WEDH-DT and the proposed WTIC-DT operation on DTV Channel 31.

Fox, however, turns a blind eye to the fact that allotment of four consecutive channels to the Hartford market⁶ will give rise to multiple adjacent channel interference considerations. The proposed relocation of DTV Channel 32 to Rattlesnake Mountain –

³ See ¶¶ 308-9, *Memorandum Opinion And Order On Reconsideration Of The Sixth Report And Order*, MM Docket 87-268, adopted February 17, 1998, released February 23, 1998.

⁴ *Id.* The disastrous result of this change was to cause WFSB’s replication factor to plummet from 95.5 percent to 85.9 percent, one of the lowest in the nation.

⁵ Appendix B to the *Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders*, MM Docket 87-168, adopted November 24, 1998, released December 18, 1998, specifies the following geographic coordinates for the respective WEDH and WFSB DTV facilities:

CT Hartford	32	41-46-27	072-48-20
CT Hartford	33	41-46-30	072-48-20

⁶ In addition to DTV Channels 32 and 33, and proposed DTV Channel 31, Television Station WVIT(TV), NTSC Channel 30, New Britain, serves the area from facilities located on Rattlesnake Mountain.

to reduce or eliminate adjacent-channel interference to a DTV Channel 31 allotment – would create new concerns of adjacent channel interference to WFSB’s Channel 33, operating on Avon Mountain.⁷

For this reason alone, the proposal to allot DTV Channel 31 to Hartford is fatally flawed. It represents an inefficient use of spectrum. The Petition should be dismissed.

The Petition Fails Adequately To Deal With All Interference Considerations

As noted in the attached statement prepared by Meredith’s consulting engineer, J.W. Stielper of Moffet, Larson & Johnson, Inc., there is a very real risk of actual interference to WFSB-DT operating on DTV Channel 33 from a WTIC-DT operation on DTV Channel 31. The Commission’s interference criteria are based on tests conducted on prototype DTV receivers, not on receivers sold in the marketplace. The standards for analog interference require a 31.4 km spacing between second adjacent channel stations, in order to protect against intermodulation interference. Here, intermodulation interference is a genuine concern since signals on Channel 31 and Channel 32 can combine in receivers to cause interference to reception of Channel 33.

In proposing a solution to the Channel 5 concern which Fox faces, the Petition fails to deal with the universe of problems in the Hartford market. The co-location of Channels 31 and 32 is an incomplete resolution of the matter. Given the proposed

⁷ WEDH has applied for DTV facilities at Rattlesnake Mountain. FCC File No. BPEDT-19990113KG. Meredith has filed an informal objection to the WEDH application on the grounds that the non-co-located facilities will cause objectionable interference.

in-market operation of four consecutive channels on Channels 30 through 33, the burden is on Fox to demonstrate that its proposal represents at least a maintenance of the status quo in the market, if not an improvement in overall service – not a net degradation in service. Fox’s failure adequately to deal with all interference considerations warrants dismissal of the Petition.

The Petition Fails To Establish No New Interference From Co-Located WEDH-DT

The Petition proposes to locate WEDH-DT on Rattlesnake Mountain at an antenna height which represents an increase of about 230 meters (750 feet). In the face of this, and despite the fact that WEDH-DT is within the protected contour of four other stations⁸, the Petition makes the remarkable claim that no new interference would be caused by the WEDH-DT operation. As Mr. Stielper states, Fox’s engineering studies are apparently based on operation with a directional antenna, but the Petition contains no pattern or tabulation of values.

The Petition refers to a Figure 1, but contains no such figure. Therefore, it is not possible to conduct an interference study to verify Fox’s claim of no increase in interference. The same Figure 1 applies to the proposed WTIC-DT operation, and its absence prevents any analysis of that proposal as well.

⁸ See attached engineering statement.

Because the Petition is incomplete and does not establish that no new interference will be caused by the projected WTIC-DT and WEDH-DT facilities, it should be dismissed.

Fox's Waiver Request Lacks Foundation

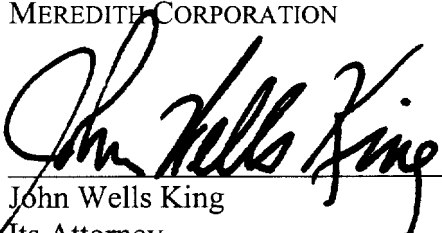
Fox admits that its proposal to substitute DTV Channel 31 for DTV Channel 5 will increase interference to WVIT(TV), NTSC Channel 30, and requests a waiver of the rules to permit it. As Mr. Stielper notes, however, in the usual case when a waiver of the rules is requested involving a channel change, the proponent completes a study to show that there is no other channel available for which no waiver would be required. Fox has failed to make such a showing, and does not establish that Channel 31 is the optimum channel. For this additional reason, dismissal of the Petition is warranted.

Conclusion

The Fox Petition is flawed and incomplete. It fails to establish that a net benefit in furtherance of the public interest would be gained by the proposed realignment of DTV allotments in the Hartford television market. The Petition should be dismissed.

Respectfully submitted,

MEREDITH CORPORATION


By: John Wells King
Its Attorney

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November 17, 2000

ENGINEERING STATEMENT
SUPPORTING THE OPPOSITION OF
MEREDITH CORPORATION.
TO THE PETITION FOR RULEMAKING OF
FOX TELEVISION STATIONS, INC.
REGARDING WTIC-DT
AT
HARTFORD, CONNECTICUT

November 16, 2000

Meredith Corporation
Hartford, Connecticut

ENGINEERING STATEMENT

This Engineering Statement is prepared on behalf of Meredith Corporation. (Meredith) licensee of television station WFSB-TV, channel 3, Hartford, Connecticut in support of an Opposition to the Petition for Rulemaking filed by Fox Television Stations, Inc. regarding WTIC-DT at Hartford, Connecticut. Station WTIC-TV was assigned television channel 5 for the digital operation of WTIC-DT to replicate the analog operation of station WTIC-TV, channel 61 at Hartford. Fox proposes to change channel from channel 5 to Channel 31, reduce the antenna height and increase Effective Radiated Power (ERP) from the reference facilities assigned to WTIC-TV by the Commission. The Tribune Television Corporation (Tribune) is the licensee of WTIC-TV and Tribune supports the Fox petition. Fox is the licensee of WNYW(TV), channel 5 at New York City and will gain from the channel change because of the elimination of potential interference to WNYW(TV). Fox proposes that WTIC-DT operate on Rattlesnake Mountain, the transmitting site for WTIC-TV, WVIT(TV) and WVIT-DT. The proposed WTIC-DT operation produces an ERP of 600 kW with antenna radiation center at 591 meters above mean sea level (amsl) which results in antenna height above average terrain (HAAT) of 488 meters.

Meredith holds a construction permit (CP) for DTV operation on channel 33 at Hartford to replicate the WFSB-TV channel 3 operation. Station WFSB-DT is authorized to operate on channel 33 on Avon Mountain. The Connecticut Public Broadcasting Corporation (CPB) operates station WEDH-TV on Avon Mountain on channel 24 and has been assigned channel 32 for the WEDH-DT operation. CPB applied to change the WEDH-DT transmitting site to Rattlesnake Mountain approximately 8.5 kilometers from the WFSB-TV/WEDH-TV site on Avon Mountain. Meredith objected to this application because of the potential for increased adjacent channel interference to WFSB-TV. In order to essentially eliminate mutual interference between WTIC-DT and WEDH-DT, Fox assumes that WEDH-DT will co-locate on Rattlesnake Mountain. In addition, as noted above, WVIT(TV) at New Britain, Connecticut operates on channel 30 on Rattlesnake Mountain. The Rattlesnake Mountain transmitter site is approximately 8.2 kilometers from Avon Mountain. Thus, grant of the Fox petition will result in four consecutive channels (30, 31, 32 and 33) in close proximity in the Hartford market. Thus, there is concern for interference between the stations on these channels. The DTV service of channel 33, allotted to WFSB, is particularly disadvantaged because of the potential for interference from the

Meredith Corporation
Hartford, Connecticut

other three stations which would be co-located. There are of course concerns of interference to other stations in other areas as well.

A review of the Fox petition indicates that the foregoing interference considerations have not been adequately addressed. First, according to the Engineering Statement accompanying the petition, operation of WTIC-DT would increase predicted interference to WVIT(TV). Presently over 10 percent of the population within the predicted WVIT(TV) Grade B contour would receive interference. Thus, under the rules, no population receiving new interference may be added to WVIT's population presently receiving predicted interference and Fox has requested waiver of the rules. Normally when a waiver of the rules is requested involving a channel change, the petitioner completes a study to show that there is no other channel available where a waiver is not required. The Fox Engineering Statement does not include a channel study to evaluate interference on all channels. In other words, Fox does not show that, of the other channels, channel 31 is the optimum channel. Another channel may be available where no waiver is required and there is less concern over interference.

Under the FCC rules procedures there is no predicted interference to WFSB-DT on channel 33 from the proposed WTIC-DT operation on channel 31. However, that does not mean that interference will not in actuality occur if WTIC-DT transmits on channel 31. The interference criteria of the rules are based upon tests conducted on prototype DTV receivers, not on actual receivers used by the public. Actual receivers may be susceptible to mutual interference between stations on channel 31 and 33 although it is not presently foreseen. The present analog rules require a 31.4 kilometer separation between second adjacent channel stations, such as on channels 31 and 33. This separation is required to protect the reception of other channels, such as channel 35, from intermodulation interference. The separation is not required based on mutual interference between channels 31 and 33, yet such interference, although not foreseen at the time when the analog rules were adopted, can and does occur. The potential for second adjacent channel interference to analog stations was tested in the DTV tests and is considered in DTV allocations. Furthermore, intermodulation interference is also of concern. In this case, signals from channels 31 and 32 can combine in receivers to cause interference to reception of channel 33. Allocation of stations on four consecutive channels in close proximity should be approached with caution; the potential for interference is not known. Station WFSB-DT would be at a different location than the other three stations and, thus, disadvantaged.

The Fox Engineering Statement contains a table showing thirty-two stations potentially receiving interference by moving WEDH-DT from Avon Mountain to Rattlesnake Mountain to co-locate with WTIC-DT on channel 31. Surprisingly, the Engineering Statement contains the assertion that there would be no new interference to any of the stations. This despite the fact that WEDH-DT, either on Avon Mountain or Rattlesnake Mountain, is within the protected contour of four

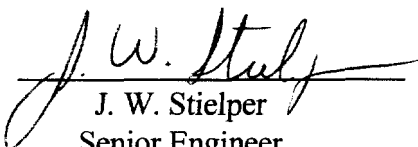
Meredith Corporation
Hartford, Connecticut

stations. Also, there would an increase antenna height by approximately 230 meters (750 feet) which would increase the potential for interference. The following table shows these four stations:

Call	Channel	City	State	Distance from Proposed WEDH-DT (km)
WFSB-DT	33	Hartford	CT	8.2
WHCT(TV)	18	Hartford	CT	8.3
WVIT(TV)	30	New Britain	CT	0.3
WGGB(TV)	40	Springfield	MA	61.6

The WEDH-DT interference studies are apparently based upon operation with a directional antenna. However, no pattern or tabulation of values is presented in the Fox Engineering Statement. The Statement refers to Figure 1, which may be the antenna pattern, however no Figure 1 is included in the report. Thus, it is not possible to conduct an interference study for the WEDH-DT proposed operation to verify if there is no increase in predicted interference. The same figure also applies to WTIC-DT, so it is not possible to conduct interference studies for the proposed WTIC-DT operation.

In summary, the Fox Engineering statement is incomplete. There are no antenna patterns; operation with directional antenna patterns is apparently proposed for WEDH-DT and WTIC-DT, but no patterns are presented. Furthermore, a waiver of the rules is requested. Fox does not include a study to demonstrate that there is no other channel where a waiver is not required. Operation of WTIC-DT on a channel other than channel 31 may pose a less of a threat of interference and may not be dependent on co-location with WEDH-DT on channel 32.


J. W. Stielper
Senior Engineer
November 16, 2000

CERTIFICATE OF SERVICE


The undersigned, an employee of Garvey, Schubert & Barer, hereby certifies that the foregoing document was mailed this date by First Class U.S. Mail, postage prepaid, or was hand-delivered*, to the following:

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A handwritten signature in cursive script, reading "Amy Bowling", is written over a horizontal line.

November 17, 2000